



# U.S. Grade Standards for Fresh Fruits, Vegetables, Nuts and Other Products

## Fruit and Vegetable Programs

### *United States Grade Standards and Their Use*

The Agricultural Marketing Service (AMS) of the U.S. Department of Agriculture (USDA) facilitates the fair and efficient marketing of agricultural products by establishing voluntary official U.S. grade standards for various commodities. AMS' Fresh Products Branch (FPB) develops and maintains U.S. grade standards for fresh fruits, vegetables, nuts and other products. U.S. grade standards serve the produce industry by providing a uniform language for describing the quality of various commodities in the marketplace. Currently, there are 158 U.S. grade standards covering 85 different commodities. The U.S. grade standards are recognized by the produce industry as an essential element in resolving disputes over product quality, providing a basis for domestic and international trade, and promoting efficiency in marketing and procurement.

Although not limited to the following, the U.S. grade standards provide:

- a voluntary means for determining levels of quality and value as a basis for: sales quotations, buyers' offers, damage claims, loan values, futures trading, military and other government purchases, and market news reporting.
- a common language for trading where the commodity cannot be readily displayed or examined by the prospective buyers.
- guides for packing which enable packers and processors to: purchase suitable quality, use raw materials effectively, and pack products for diverse domestic and international markets.
- a means of marking official USDA quality levels on product labels.

### *Development/ Revision of U.S. Grade Standards*

Initial development or revision of a U.S. grade standard usually comes at the request of an interested party, such as a commission or association representing a specific commodity. This request is normally due to a commodity becoming commercially successful and needing a trading language, or due to a commodity's changing cultural or marketing practices.

When an industry wishes to develop or revise a U.S. grade standard, it may request a meeting with a member of FPB to discuss the most appropriate means of accomplishing its goals.

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Groups and individuals seeking a new or revised standard should be able to demonstrate that their proposal has a broad base of support among potential users of the standard. This is often accomplished by forming a national standards committee to help define and represent the views of as many industry members and other interested parties as possible. Any action taken on a U.S. grade standard should reflect the broad interest of either individuals, an industry involved in manufacturing, producing, packaging, distributing, testing, consuming or using the product, or a federal, state, or local agency. Proposed actions should always be based on sound technical and marketing information that includes the factors that determine a commodity's quality and condition. Lastly, the U.S. grade standard must be practical so that trained inspection personnel can objectively determine conformance with elements of the U.S. grade standard.

The official request to develop/revise a U.S. standard should give clear reasons for the request, along with either: (1) a draft of exactly how the interested party would like to see the U.S. grade standard revised/developed; or (2) a detailed summary of the specific areas that the party would like to see addressed in the U.S. grade standard.

An official request to develop/revise a U.S. grade standard should be in the form of a letter sent to the **Deputy Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Avenue SW, Stop 0235, Washington, DC 20250-0235.**

### *After Initial Request*

Once an official request has been made, the specifics are evaluated and a letter of response is sent to the requesting party outlining USDA's intended actions. If USDA decides that the action is to proceed, a standardization specialist oversees the project. The *Code of Federal Regulations* (CFR), Title 7 (Agriculture) Part 36, outlines how USDA will accomplish the task of developing/revising U.S. grade standards or suspending/terminating an existing standard. These procedures ensure that USDA publishes any actions that it takes concerning U.S. grade standards in the *Federal Register*, to provide any interested party the opportunity to comment. Part 36 is titled, "Procedures by Which the Agricultural Marketing Service Develops, Revises, Suspends, or Terminates Voluntary Official Grade Standards."

Copies of the procedures are available on the Government Printing Office's Internet site at [www.gpo.gov](http://www.gpo.gov). Hard copies may be requested from the Standardization Section, Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, USDA, 1400 Independence Avenue SW, Stop 0240, Washington, DC 20250-0240. Telephone (202) 720-2185. Fax (202) 720-8871. The standardization specialist working with others in USDA will ensure that these procedures are followed.

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### *Gathering Information*

Depending on whether the project involves developing a new standard or making major or minor changes to an existing standard, AMS will determine the method in which information will be gathered and used. Initial development of a standard may require the standardization specialist to contact federal and federal-state inspectors, shipping point supervisors, state and local government officials, university researchers, growers, packers, shippers, receivers, and any one else who can provide useful information about the product. A minor change to a standard may be accomplished by simply publishing a notice in the *Federal Register* outlining the change and requesting comment.

### *Discussion Draft*

The aim of USDA is to gather enough information in the preliminary stages to develop a standard or revision that will accurately reflect the needs of the industry. One method used for this purpose is a “Discussion Draft.” If the work involves a new standard, or involves major changes to an existing standard, the standardization specialist will use the gathered information to develop a working draft of the proposed standard for discussion purposes. This draft standard is sent to interested parties for comment to help fine tune the standard prior to publication as an official notice in the *Federal Register*.

### *Rulemaking*

Once the comments have been received and reviewed, an official proposal (docket) is compiled. The proposal must go through a clearance process in USDA before publication in the *Federal Register*. The standard and whether it appears as a regulation in the CFR dictates the level of clearance required to begin the formal process of developing/revising the U.S. grade standard.

Part 36 basically requires USDA to provide public notification of actions taken to develop or revise U.S. grade standards. After developing the proposal, AMS publishes a notice in the *Federal Register* describing the new U.S. grade standards, revisions to existing U.S. grade standards, or decisions to suspend or terminate existing U.S. grade standards. AMS will simultaneously issue a news release about these actions. AMS will also distribute copies of the full text of the proposals to anyone requesting a copy or to anyone AMS believes may be interested, including other federal, state or local government agencies. AMS will also post the proposals on the Internet. Other than minor editorial or technical changes, the notice provides at least 60 days for interested parties to submit comments to AMS.

- All comments received within the comment period become part of the public record maintained by AMS. These comments are available to the public for review, and are considered by AMS before final action is taken on the proposal.
- Based on the comments received, AMS will evaluate all the input and decide whether the proposed actions should be implemented.

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- If AMS concludes that the actions as proposed, or with minor modifications, should be adopted, AMS will publish a description of the changes or actions in the *Federal Register*. AMS will also make the U.S. grade standards and related information available in printed form and on the Internet and CD-Rom.
- If AMS determines the proposed changes are not warranted, or that they are not in the public interest, AMS will either publish a notice in the *Federal Register* withdrawing the proposal or revise the proposal and again seek public input.

The final action taken on a proposal is dependent on the comments received. Comments are reviewed based on their content and not on a majority rules basis. For example, an industry can solicit its members to write USDA supporting a particular proposal.

However, a single opposing comment making a legitimate case can trigger a change in the proposal. The change and logic for incorporating that change would be explained in future notices in the *Federal Register*.

*How to obtain information?*

For further information, contact the Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, USDA, 1400 Independence Avenue SW, Stop 0240, Washington, DC 20250-0240. Telephone (202) 720-2185 or (800) 811-2373. Fax (202) 720-8871. Copies of the U.S. grade standards can be viewed or printed from the Internet at [www.ams.usda.gov/standards](http://www.ams.usda.gov/standards).

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*To file a complaint of discrimination, write Director, Office of Civil Rights, USDA Stop 9410, 1400 Independence Avenue SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.*

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